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June 29, 2020

VIA ECF

Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Jarzette Jacobs Administrator of Estate of Jah'Lire Nicholson et al. v. City, et al.,
18-CV-3275 (VSB)

Your Honor:

I am a Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, representing defendants City of New York, Police Officer Daniel Decario, and Police Officer Djafar Tsaabbast in the above-referenced matter. Pursuant to the Court's Order dated March 24, 2020, defendants write respectfully on behalf of the parties to advise the Court of the status of this action and to respectfully request that the Court extend the stay of discovery by 90 days.

By Scheduling Order dated November 20, 2019, the Court directed the parties to complete fact and expert discovery by March 31, 2020. On March 20, 2020, the parties jointly requested that the Court issue a 90 day stay of discovery in light of the delays caused by the Covid-19 pandemic. In particular, the parties advised the Court that a stay was needed in order to allow the parties to safely complete depositions and in order to provide plaintiffs' ballistics expert the time and resources to evaluate the case. Both of these needs still justify extending the stay. The parties have worked together to exchange additional document discovery regarding the ballistics expert's evaluation and are working to arrange logistics for such an evaluation in light of the safety concerns caused by the pandemic. However, counsel for the parties continue to work primarily on a remote basis and, out of concern for all involved, agree that it would be prudent to complete both depositions and any in person examinations of materials at a later date.

Accordingly, the parties respectfully request that the Court further extend the stay of discovery by 90 days. To the extent that this request is granted, the parties further respectfully request that the Court permit them to submit a joint status update at the conclusion of the stay.

Thank you for your consideration herein.

Respectfully submitted on behalf of the parties,

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